
Appeal Decision

Site visit made on 20 October 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th November 2020

Appeal Ref: APP/D3125/W/20/3255889

41 Manor Road, Bladon, OX20 1RY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Baker against the decision of West Oxfordshire District Council.
 - The application Ref 20/00746/FUL, dated 11 March 2020, was refused by notice dated 12 June 2020.
 - The development proposed is the erection of two detached dwellings and two detached double garages, each with a home office above. Close existing access and formation of two new vehicular accesses.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development above is taken from the appeal form as it is more comprehensive.

Main Issues

3. The site is within the Green Belt. However, the Development Plan Policy does not preclude the principle of new houses and indeed the site has a recent permission for 2 houses. Green Belt implications were not part of the reason for refusal in the Council's decision notice. Accordingly, I do not give this matter any further consideration. The main issues are:
 - whether the proposal would preserve or enhance the character and appearance of Bladon Conservation Area and whether it would preserve the setting of Blenheim Palace Historic Park and Garden and World Heritage Site and;
 - whether the proposed accesses would lead to a loss of biodiversity and if so the potential for mitigation.

Reasons

Conservation Area and Blenheim Palace

4. The site lies at the western end of the village, at a corner of two roads, the A4095 through road which provides one approach to Blenheim Place, the other

- is a side road, Manor Road. It is prominent from both roads on rising land although has been cleared leaving only the hedges along its edges.
5. The site is within Bladon Conservation Area and close to Blenheim Palace Historic Park and Garden and World Heritage Site (the Park). The Conservation Area, is characterised by its linear pattern of modest cottages along the A4095, forming the edge of the Park. The site has a neutral appearance so that the eye is drawn along the A4095 towards the village and in particular the church tower. I also noted on my site visit that the visual emphasis along the A4095 is reinforced by the drystone wall of the Park opposite the site, which continues into the village. The wall is very distinctive in its neat coursing, some large blocks of stone, distinctive capping and a projecting stone plinth at approximately two thirds height and these distinctive characteristics are repeated in the wall by the main entrance to the Park.
 6. The proposed two houses and the garages would occupy much of the site; they would have a substantial footprint which would be particularly evident from the adjacent Manor Road and A4095. The collective mass of the proposed buildings would appear bulky and lead to an over dominance of buildings on the site, which would interrupt the draw of the eye along the road into the village. It would also undermine the significance of the narrow linear cottages along the A4095 as the proposed houses would appear as overly wide. Whilst there is an extant permission for new development, these now proposed buildings would be larger, bulkier and more noticeable.
 7. In addition, the front elevations would have mid roofline dormers and projecting gables, which would be very close together. Collectively these details would be cluttered in a small area and appear overly fussy. Dormers and gables are characteristic of the area, however in the vernacular tradition they are widely spaced and subservient to the overall form which leads to a simple appearance.
 8. The proposed buildings would be overly dominant on this site due to their rooflines and width. They would have substantial presence which would detract from the existing linear focus along the main road and the stone boundary wall. Additional landscaping by way of a condition would not sufficiently screen the proposed buildings to remedy their impact.
 9. I therefore conclude that the proposal would be harmful to the Bladon Conservation Area and the setting of Blenheim Palace Historic Park and Garden and World Heritage Site.
 10. Policies OS2, OS4, H2, EH9, EH10, EH14 and EW9 of the West Oxfordshire Local Plan (LP), seek to provide new houses in the right places, achieve high quality design, conserve or enhance conservation areas, protect the setting of Blenheim Palace and Park. The above policies reflect paragraph 127 of the National Planning Policy Framework (the Framework). The proposal would be in conflict with these policies as well as the National Design Guide.

Biodiversity

11. The appellant's ecological appraisal notes the composition of the raised bank along the eastern edge of the site: a hedge with various deciduous species of field trees and plants that are indicative of ancient woodland, hedgerows and long-established verges, including bluebell, primrose and herb species. The

survey concludes that the bank is of high ecological value within the context of the site and the wider local area.

12. The two new accesses would cut into and remove sections of this bank. The above ecological appraisal notes that the loss is likely to result in significant ecological impact. The existing access would be closed off and re-planted but there would be a loss in the overall extent of the bank. Furthermore, the proposed vegetation being new would lack the ecological value of the existing ecosystem as the relationship between the various species of flora and fauna would not be established.
13. The provision of bird boxes is recommended in the ecological appraisal, however these and the replacement planting across the site would only offer partial mitigation of the impact. Additionally, the accesses need permission because the necessary engineering works would be beyond permitted development rights. In any event there is no house currently on the site and therefore no such rights exist.
14. Accordingly, the overall proposal would lead to loss of species and habitat, thereby harming the biodiversity of the area. Policy EH3 of the LP seeks to protect and enhance biodiversity alongside paragraph 175 of the Framework, and the proposal would be in conflict.

Other matters

15. Concern was raised about highway safety however, there would be sufficient distance and visibility at the junction for all users to be mutually aware of the ongoing movements. I also note the concern about overlooking to 30 Manor Road, but this has been addressed in the elevations.

Planning Balance

16. The proposal would provide 2 new houses, which would help towards housing land supply and bring social and economic benefits. I also acknowledge the design rationale to provide adequate space for modern living. However, these benefits would be very limited. I have found above that the proposal would be harmful to both biodiversity and heritage. In the context of the National Planning Policy Framework paragraph 196 this harm to heritage assets would be less than substantial. Nevertheless, when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to the asset's conservation. In this case, the harm would not be outweighed by the public benefits of the proposal.

Conclusion

17. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR